P/1259-637

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Fernand LABRIE

Serial No.: 10/052,803

Filed: November 7, 2001

For: SELECTIVE ESTROGEN RECEPTOR MODULATORS IN COMBINATION WITH ESTROGENS

Date: April 28, 2006

Confirmation No.: 3989

Group Art Unit: 1617

Examiner: Shaojia A. Jiang

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER RULE 37 C.F.R. § 1.116

Sir:

This is a response to the Office Action in the above-identified application.

Reconsideration of the application is respectfully requested.

FEE CALCULATION

No additional fee is required.

	NO. CLAIMS AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	EXTRA PRESENT		RATE	ADDIT. FEE
TOTAL	20	MINUS	43	* = 0	X	($25 SE or $50)	$0
INDEP.	1	MINUS	4	** = 0	X	($100 SE or $200)	$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					X	($180 SE or $360)	$
						TOTAL	$0

* not less than 20 ** not less than 3

If any additional payment is required, a check which includes the calculated fee of $____ (OFGS Check No. _____) is attached.

LISTING OF THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claim 1 (Currently amended) A pharmaceutical composition comprising:

a) a pharmaceutically acceptable excipient, diluent or carrier;

b) a therapeutically effective amount of at least one estrogen or prodrug thereof, said estrogen being selected from the group consisting of 17β-estradiol, 17β-estradiol esters, estriol, estriol esters, estrone, estrone esters, conjugated estrogen, equilin, equilin esters, 17α-ethynylestradiol, 17α-ethynylestradiol esters, mestranol, mestranol esters, chemestrogen, diethylstilbestrol, phytestrogen, tibolone, 2'-ethylestrogenoxazole, and ethynediol; and

c) a therapeutically effective amount of at least one selective estrogen receptor modulator or prodrug thereof, wherein the selective estrogen receptor modulator has the following formula:

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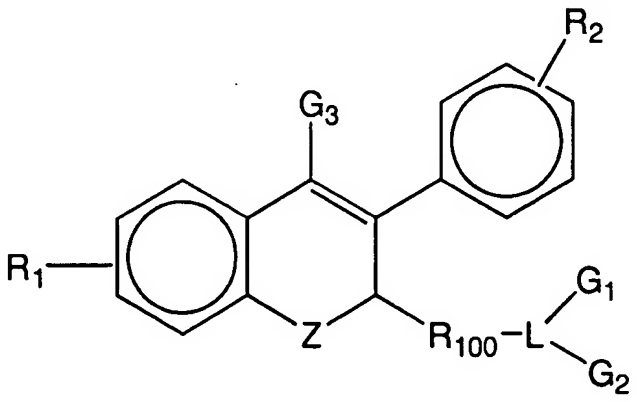

wherein R_1 and R_2 are independently hydrogen, hydroxyl or a moiety which is converted to hydroxyl in vivo;

wherein Z is either absent or selected from the group consisting of $-CH_2-$,-0-,-S- and $-NR_3-$ (R_3 being hydrogen or lower alkyl);